

EXHIBIT 4

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING PHARMACY, INC. PRODUCTS LIABILITY LITIGATION)	
)	
)	
)	
THIS DOCUMENT RELATES TO:)	MDL No. 2419 Dkt. No 1:13-md-2419 (RWZ)
All Suits Against the Saint Thomas Entities)	
)	
)	
)	
)	

**SAINT THOMAS ENTITIES' NOTICE OF TAKING VIDEOTAPEDEPOSITIONS
DUCES TECUM OF BELLWETHER CANDIDATE PLAINTIFF BASIL MCELWEE
AND PLAINTIFF CARLA MCELWEE**

The Saint Thomas Entities,¹ pursuant to Federal Rule of Civil Procedure 30, come now and give notice that the oral and videotaped deposition of Bellwether Candidate Plaintiff Basil McElwee will be taken on December 9, 2015 beginning at 9:00 a.m. CST and continuing until completed. The deposition of Plaintiff Carla McElwee will commence immediately thereafter and will continue until completed. The depositions will take place at Leader, Bulso & Nolan, PLC, 414 Union Street, Suite 1740, Nashville, Tennessee 37219. The depositions will be recorded by stenographical means and by video. Please see Attachment A for documents to be produced at the time of deposition.

¹ Saint Thomas West Hospital f/k/a St. Thomas Hospital; Saint Thomas Health; and Saint Thomas Network.

Dated: November 19, 2015

SAINT THOMAS HEALTH, SAINT THOMAS NETWORK, and SAINT THOMAS WEST HOSPITAL

By their attorneys,

/s/ Sarah P. Kelly
Sarah P. Kelly (BBO #664267)
skelly@nutter.com

NUTTER McCLENNEN & FISH LLP
Seaport West
155 Seaport Boulevard
Boston, Massachusetts 02210
(617) 439-2000
(617) 310-9461 (FAX)

OF COUNSEL:

Yvonne K. Puig*
Texas State Bar No. 16385400
yvonne.puig@nortonrosefulbright.com
Adam T. Schramek*
Texas State Bar No. 24033045
adam.schramek@nortonrosefulbright.com
Eric J. Hoffman*
Texas State Bar No. 24074427
eric.hoffman@nortonrosefulbright.com

NORTON ROSE FULBRIGHT US LLP
98 San Jacinto Blvd., Suite 1100
Austin, Texas 78701
(512) 536-2450
(512) 536-4598 (FAX)

Marcy Hogan Greer*
Texas State Bar No. 08417650
mgreer@adjtlaw.com

ALEXANDER DUBOSE JEFFERSON &
TOWNSEND LLP
515 Congress, Suite 2350
Austin, Texas 78701
(512) 482-9300
(512) 482-9303

*Appearing Pro Hac Vice

CERTIFICATE OF SERVICE

I certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing this 19th day of November, 2015.

/s/ Sarah Kelly
Sarah P. Kelly

ATTACHMENT A

You are requested to appear at the time of deposition with the following documents that are you in your personal possession, custody, and control:

1. All bills, receipts, statements, statements of account, canceled checks, or other documents of any description that evidence any medical expenses that you are claiming as damages in this case.
2. All bills, receipts, statements, statements of account, canceled checks, or other documentation of any description that evidence any out-of-pocket expenses that you are claiming as damages in this case.
3. All notes, memoranda, diaries, journals or other writing of any kind prepared or maintained by you or any of your family members that concern the physical, mental, or emotional conditions that are alleged injuries that are the subject matter of this lawsuit.
4. All documents concerning any reimbursement you received for expenses that you are claiming in this lawsuit, including without limitation health insurance payments, temporary disability payments, or unemployment payments.
5. Copies of any and all documentation, correspondence, communication, or other records in any form, including audio or video, between you or anyone acting on your behalf and the Saint Thomas Entities not previously produced in this litigation.
6. All statements obtained from or given by any person having knowledge of facts relevant to the subject matter of this lawsuit including without limitation the parties and other witnesses, and all documents containing or referring to any such statements.
7. Copies of any and all internet or other research performed by you regarding NECC or compounding pharmacies.

8. Please produce copies of the archive of your profile on all social media sites, including without limitation your Facebook Archive if you maintain a Facebook account.

9. Please produce copies showing all online comments that you have posted since September 1, 2012 on online news websites, blog posts, listserves, online forums, and discussion boards, whether by name, username, anonymously, or by pseudonym.